

HB0630/513126/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 630
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Public Utilities – Primary and Secondary**” and substitute “**Utility**”; in the same line, strike “**Domestic Violence**” and substitute “**Victims of Abuse –**”; strike beginning with “requiring” in line 4 down through “circumstances” in line 6 and substitute “authorizing an account holder who is the victim of abuse to terminate, and requiring a utility to allow for the termination of, the account holder’s future liability under a utility contract under certain circumstances; requiring a utility to allow an account holder who terminates a utility contract under this Act to allow the account holder to open a new utility account for a new premises notwithstanding a certain account balance or arrearage”; and in line 6, strike “public”.

AMENDMENT NO. 2

On page 1, strike in their entirety lines 18 through 21, inclusive, and substitute:

“(2) “ABUSE” HAS THE MEANING STATED IN § 4-501(B) OF THE FAMILY LAW ARTICLE.

“(3) “ACCOUNT HOLDER” MEANS AN INDIVIDUAL IN WHOSE NAME A UTILITY ACCOUNT IS MAINTAINED INDIVIDUALLY OR JOINTLY WITH OTHER INDIVIDUALS.

“(4) “OFFENDER” MEANS AN INDIVIDUAL WHO COMMITS AN ACT OF ABUSE.

“(5) “QUALIFIED THIRD PARTY” MEANS:

(I) A LICENSED PHYSICIAN OR PSYCHOLOGIST AUTHORIZED TO PRACTICE UNDER THE HEALTH OCCUPATIONS ARTICLE;

(II) A SOCIAL WORKER OR CASEWORKER OF ANY PUBLIC OR PRIVATE HEALTH OR SOCIAL SERVICES AGENCY OR PROVIDER; OR

(III) AN ADVOCATE FROM A DOMESTIC VIOLENCE OR SEXUAL ASSAULT PREVENTION OR ASSISTANCE PROGRAM.

(6) “REPORT BY A QUALIFIED THIRD PARTY” MEANS A REPORT BASED ON INFORMATION RECEIVED BY A QUALIFIED THIRD PARTY WHILE ACTING IN A PROFESSIONAL CAPACITY THAT:

(I) INDICATES THAT THE ACCOUNT HOLDER IS SEEKING ASSISTANCE AS A RESULT OF BEING A VICTIM OF ABUSE; AND

(II) INCLUDES THE FOLLOWING INFORMATION:

- 1. THE NAME OF THE ACCOUNT HOLDER;**
- 2. THE DATE, TIME, LOCATION, AND A BRIEF DESCRIPTION OF THE INCIDENT;**
- 3. THE NAME AND PHYSICAL DESCRIPTION OF THE ALLEGED OFFENDER, IF KNOWN;**
- 4. THE NAME AND ADDRESS OF THE EMPLOYER OF THE QUALIFIED THIRD PARTY;**

5. IF THE QUALIFIED THIRD PARTY IS REQUIRED TO BE LICENSED, THE LICENSING ENTITY AND LICENSE NUMBER OF THE QUALIFIED THIRD PARTY;

6. THE SIGNATURE OF THE QUALIFIED THIRD PARTY, UNDER SEAL OF A NOTARY PUBLIC; AND

7. THE ACKNOWLEDGEMENT AND SIGNATURE OF THE ACCOUNT HOLDER UNDER PENALTY OF PERJURY.”.

On page 2, in line 1, strike “(4)” and substitute “(7)”; and after line 3, insert:

“(B) (1) SUBJECT TO SUBSECTIONS (C) AND (D) OF THIS SECTION, IF AN ACCOUNT HOLDER IS A VICTIM OF ABUSE, THE ACCOUNT HOLDER MAY TERMINATE, AND THE UTILITY SHALL ALLOW FOR THE TERMINATION OF, THE ACCOUNT HOLDER’S FUTURE LIABILITY UNDER A UTILITY CONTRACT IF THE ACCOUNT HOLDER PROVIDES THE UTILITY WITH WRITTEN NOTICE BY FIRST-CLASS MAIL OR HAND DELIVERY OF THE ACCOUNT HOLDER’S REQUEST FOR TERMINATION OF THE ACCOUNT HOLDER’S FUTURE LIABILITY UNDER THE CONTRACT.

(2) THE NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE:

(I) A COPY OF AN ENFORCEABLE FINAL PEACE ORDER ISSUED FOR THE BENEFIT OF THE ACCOUNT HOLDER UNDER § 4-506 OF THE FAMILY LAW ARTICLE;

(Over)

(II) A COPY OF AN ENFORCEABLE FINAL PEACE ORDER, FOR WHICH THE UNDERLYING ACT WAS AN ACT OF ABUSE, ISSUED FOR THE BENEFIT OF THE ACCOUNT HOLDER UNDER § 3-1505 OF THE COURTS ARTICLE; OR

(III) A COPY OF A REPORT BY A QUALIFIED THIRD PARTY IF:

1. THE NAME AND PHYSICAL DESCRIPTION OF THE ALLEGED OFFENDER ARE REDACTED; AND

2. THE REPORT WAS SIGNED BY THE QUALIFIED THIRD PARTY WITHIN THE 60 DAYS IMMEDIATELY PRECEDING THE DATE THE NOTICE IS PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(C) AN ACCOUNT HOLDER WHO TERMINATES A UTILITY CONTRACT UNDER SUBSECTION (B) OF THIS SECTION IS RESPONSIBLE FOR UTILITY CHARGES ONLY UP TO AND INCLUDING THE BILLING CYCLE DURING WHICH THE WRITTEN NOTICE REQUIRED UNDER SUBSECTION (B) OF THIS SECTION IS SUBMITTED.

(D) IF AN ACCOUNT HOLDER TERMINATES A UTILITY CONTRACT UNDER SUBSECTION (B) OF THIS SECTION, THE UTILITY SHALL ALLOW THE ACCOUNT HOLDER TO OPEN A NEW UTILITY ACCOUNT FOR A NEW PREMISES NOTWITHSTANDING AN ACCOUNT BALANCE OR ARREARAGE AT THE PREMISES DESCRIBED IN THE WRITTEN NOTICE UNDER SUBSECTION (B) OF THIS SECTION.”.

On pages 2 and 3, strike in their entirety the lines beginning with line 4 on page 2 through line 16 on page 3, inclusive.